

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-350-DCK**

KAREN E. LEWIS,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Consent Motion For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412" (Document No. 27) filed September 5, 2018. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion, the record, and noting the parties' consent, the undersigned will grant the motion.

IT IS, THEREFORE, ORDERED that Plaintiff's "Consent Motion For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412" (Document No. 27) is **GRANTED**.

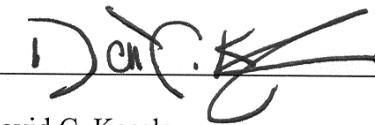
IT IS FURTHER ORDERED that the United States Social Security Administration pay attorney fees in the amount of \$4,100.00, in full satisfaction of any and all attorney fee claims Plaintiff may have in this case under the Equal Access to Justice Act.

Further, pursuant to the United States Supreme Court's ruling in Astrue v. Ratliff, 130 S. Ct. 2521 (2010), these attorney fees are payable to Plaintiff as the prevailing party and are subject to offset through the Treasury Department's Offset Program to satisfy any pre-existing debt plaintiff may owe to the United States government. If, after the entry of this Order, the Commissioner determines that Plaintiff owes no debt to the United States that would subject this

award of attorney fees to offset, the Commissioner may honor the Plaintiff's assignment of EAJA fees providing for payment of the subject fees to Plaintiff's counsel, rather than to Plaintiff. If, however, the Commissioner discovers that Plaintiff owes the United States any debt subject to offset, the Commissioner will pay any attorney fees remaining after such offset to Plaintiff, rather than to counsel.

SO ORDERED.

Signed: September 5, 2018



David C. Keesler
United States Magistrate Judge
